

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Stanley R. Chesler
	:	
v.	:	Crim. No. 09-697 (SRC)
	:	
JAMES ARTFICH	:	<u>MODIFICATION ORDER</u>

This matter having been opened to the Court on motion of the United States, by Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (Randall H. Cook, Assistant United States Attorney, appearing), in the presence of John Yauch, Esq., attorney for defendant James Artfitch, for an order pursuant to Title 18, United States Code, Section 3142(c), releasing defendant James Artfitch on conditions pending trial in the above-captioned matter, and the Court having considered the matter and having heard the arguments of the parties makes the following findings:

1. Defendant James Artfitch has been on pre-trial release subject to conditions established by the Honorable Magistrate Judge Madeline Cox-Arleo at defendant Artfitch's initial appearance on April 7, 2009;
2. Defendant James Artfitch was indicted on September 15, 2009 for, among other offenses, distribution of child pornography in violation of Title 18, United States Code, Section 2252A(a)(2)(B);
3. Title 18, United States Code, Section 2252A(a)(2)(B) is an offense that is subject to mandatory compliance with the release conditions specified at Title 18, United States Code, Section 3142(c)(1)(B)(xiv);

4. Having considered the factors set forth in Title 18, United States Code, Section 3142(g), the Court finds that the conditions of release currently in place, in combination with the conditions required by Title 18, United States Code, Section 3142(c)(1)(B)(xiv), appear sufficient to reasonably assure the appearance of the defendant at trial and to prevent danger to the safety of the community.

IT IS, therefore, on this 25th day of September 2009,


ORDERED, pursuant to Title 18, United States Code, Section 3142, that defendant James Artfitch be continued on supervised release released subject to the conditions established at the time of his April 7, 2009 initial appearance, with the addition of the following conditions, as required by Title 18, United States Code, Section 3142(c)(1)(B)(xiv):

A. Defendant James Artfitch will be placed on electronic monitoring and will be restricted to his residence everyday from a time period to be determined by Pretrial Services. The defendant shall pay all or part of the cost of electronic monitoring, based upon his ability to pay as determined by the Court and Pretrial Services Agency;

B. Defendant James Artfitch will avoid all contact with alleged victims of the crime and with a potential witness who may testify concerning the offense;

C. Defendant James Artfitch will refrain from possessing a firearm, destructive device, or other dangerous weapon; and

ORDERED that Pre-Trial Services monitor and supervise compliance by defendant James Artfitch with the above-stated conditions.



HONORABLE STANLEY R. CHESLER
United States District Judge